

Queensland Public Hospitals Commission of Inquiry

STATEMENT OF CHRISTOPHER MARTIN JELLIFFE

I Christopher Martin JELLIFFE of Mater Private Hospital Mackay in the State of Queensland SWORN:

1. I am a legally qualified medical practitioner duly registered to practice in the State of Queensland.
2. I have the following professional qualifications: MB BS (London UK); Fellow of the Royal College of Anaesthetists (FRCA – London 1996); Fellowship of the Australian and New Zealand College of Anaesthetists (FANZCA – 2003).
3. In January 1999 as a result of an application that I made to be employed in an Area of Need in Queensland from the UK I was appointed as a Senior Registrar in Anaesthetists at the Townsville General Hospital. I remained in this position until January 2000 when I applied for and was successful in obtaining a job as a locum consultant in Anaesthetists at the Royal Hobart Hospital in Tasmania which was also an Area of Need position.
4. Then in November 2000 I returned to the UK from Hobart for one month's holiday and returned to take up a position as a Senior Medical Officer (SMO) in Anaesthetics in January 2001 at the Bundaberg Base Hospital in Queensland, again in an Area of Need Position. I remained in this position until November 2002 when I returned to Townsville as a SMO in Anaesthetists.
5. I passed the FANZCA examination in May 2003 and was registered as a Specialist Anaesthetist and after that I moved to Mackay and set up a private practice in an Area of Need in January 2004. That is the position that I am in to-day.
6. When I commenced my employment in Bundaberg Mr. Peter LECK was the District Manager and Dr. John WAKEFIELD was the Director of Medical Services and it was the latter person that I answered to in my role as a Doctor at that hospital.

Signed: Christopher Martin JELLIFFE
Deponent

Taken by: Wayne John KING
Solicitor/Barrister/Justice of the Peace/
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7. My first observations of the hospital when I arrived were that it was a very happy ship with staff morale high and I was very happy to be working in that environment.
8. However, towards the end of 2001 Dr. Wakefield moved to Brisbane to another position and his position was vacant and it was filled in an Acting capacity by Dr. Keeys NYDHAM who was at that time involved in the Accident and Emergency and Drug and Alcohol areas of the hospital.
9. From that time on everything started to fall apart at the hospital and I contribute this to his very poor management skills. Morale deteriorated overnight significantly and there was an exodus of competent staff to other places.
10. Also at this time Peter Leck was becoming more directly involved in the running of the hospital. Previously to this while Dr. Wakefield was there I had not even met Peter Leck in person. I may have seen him around the hospital and the best I can say now is that I may have known him as the District Manager but he had not impact on my day to day employment at the hospital. I can make no comment about him at all for this period of time i.e the time while Dr. Wakefield was present.
11. Two (2) of the Anaesthetists of the then four person team departed which left one other and myself as SMO's there. This meant that there was an enormous increase of work placed upon us while those vacancies remained. Because of the increase of the workload and the absence of the previous positive work atmosphere I commenced to suffer from tiredness, low spiritness and my marriage and family life were adversely affected as a result of what was happening in the workplace.
12. During this period I had rare contact with Peter Leck but there were the occasions when he would bring to my attention his concerns about waiting lists which were increasing in length and he would inquire from me as to what positive changes might be made to improve the waiting list. At this time the Director of Anaesthetics was Dr. Martin CARTER and he was the main conduit between Peter Leck and our area of responsibility but in the absence of Dr. Carter I would be the one who Peter Leck spoke to about his concerns.
13. During this period I was often on call in a one in two or one in three period which was everything second or third night and every second or third weekend and this

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was on top of my normal working days which were averaging at that time about ten (10) hours per day.

14. All this came to a head over the Easter period 2002. I was the only Senior Anaesthetist in the hospital for an eight (8) day period expected to provide 24 hour cover for the operating theatres, the Intensive Care Unit, the Obstetric Unit, and the Accident and Emergency Department.
15. Under the circumstances that prevailed at that time, which I would describe as crippling, I unilaterally elected to cancel all elective surgery as I did not feel that it would be safe for me to be anaesthetising patients for elective surgery as a result of the extreme tiredness that I was suffering from as a result of overwork at that time.
16. I told the Theatre Supervisor at that time, I now do not recall who that nurse was, and I had my decision passed onto the District Manager, Peter Leck.
17. I am not certain now but it was either on the Tuesday after Easter of that year or the Tuesday before Easter of that year but I received a message from Peter Leck for me to visit him in his office to speak with him about the decision I had made.
18. While I had never been to his office before to meet with him for some reason on this occasion when I received his notification of his request to see me I knew that it would be about the decision I had made.
19. I recall that it was late in the morning when I went to see him and I entered his office and he and I were the only two people in the office. He told me to take a seat, which I did. At this time I noticed that he had a file that looked like my Personnel File open on his desk in front of him. I felt upset about this and I was surprised that he had my file with him but I suspected that I knew where this meeting was heading. I just had a gut feeling about it.
20. I am aware of the position that overseas trained doctors are in when they come to work in Australia under the Area of Need Program with regard to the Visa that is issued to allow this. This visa only provides temporary residency in this country and is incumbent upon you keeping the specific job that the visa was issued for. However, at this stage I had married my Australian girlfriend, who I had met in Hobart whilst working there, and therefore I was now on a spouse visa pending permanent residence and the conditions of the previous working visa I had no longer applied. Peter Leck was not aware of my current position at this time.

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21. He then, very casually, and matter of factly said to me, words to the effect, "Just remind me of your current visa status." At this time there was no mention of my decision that I made to cancel surgery and I was greeted with the comment about my visa. This confirmed my gut feeling when I went to his office that I was to be challenged about my decision and my visa status was going to be raised as a means of my towing the line and not making such a decision again in the future.
22. At this time I told him I was now the holder of a spouse visa, having married my girlfriend three months previously, and it was patently obvious to me that when he became aware of my new visa situation his whole body language and attitude immediately changed. He went from being, in my view, threatening to very compliant.
23. What I mean by that is that his body language and attitude when I arrived, even though it was just a matter of a few words, was very clear to me to be of a threatening nature and he was going to use the situation with my Area of Need visa to have me comply with what he may have been proposing. However, when he became aware of my new situation that attitude changed and he was compliant to my comments and agreed with the action I had taken and the decision that I had made about cancelling elective surgery over the Easter period.
24. I have no doubt that my view of the situation at the early stage of the meeting was correct otherwise I would never have been called to his office, he would not have had my personnel file with him, and nor would he have raised my visa position in the general conversation at the commencement of our meeting.
25. There was general chit chat that took place between us during our meeting on that occasion and we spoke, as I have outlined, about my decision to cancel surgery and the meeting really, in my view, became a non-event. After he became aware of my new working position there was no further conversation about working visa and I then left the meeting and went back to my normal duties.
26. Dr. Carter returned to work the following week and I told him of the dreadful time that I had had in his absence and that I would be looking for another job. I did this and I contacted Townsville and was offered a position there from November and I left Bundaberg and commenced my role at that hospital.
27. In April 2005 I read a number of articles by a journalist named Hedley THOMAS of the Courier Mail in which overseas trained doctors were discussed and as a result

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I made contact with him and raised with him the issues that I had had at Bundaberg and what had happened to me with regard to the implied threat that I had received from Peter Leck where my visa status, in my view, was going to be held over my head to ensure that I complied with the District Manager's point of view.

28. This was a telephone conversation I had with Mr. Thomas and I asked that Peter Leck not be mentioned in any article by name as I was concerned about any repercussions that might arise from the information that I was providing to him.

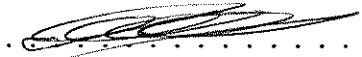
29. I have to-day been provided with a copy of the article that arose as a result of my interview with Mr. Thomas and I agree that the contents of it are as I informed Mr. Thomas about. (SEE ATTACHMENT 1)

Affidavit SWORN on 06 October 2005

at Mackay

in the presence of:

Christopher Martin JELLIFFE



Deponent

Wayne John KING




Solicitor/Barrister /Justice of the Peace/
Commissioner for Declarations

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